

By: Parker

H.B. No. 2978

Substitute the following for H.B. No. 2978:

By: Gooden

C.S.H.B. No. 2978

A BILL TO BE ENTITLED

1 AN ACT

2 relating to service of citation in connection with an expedited  
3 judicial foreclosure proceeding.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter B, Chapter 17, Civil Practice and  
6 Remedies Code, is amended by adding Section 17.031 to read as  
7 follows:

8 Sec. 17.031. EXPEDITED FORECLOSURE PROCEEDINGS. (a) For a  
9 power of sale exercised by the filing of an application for an  
10 expedited court order allowing the foreclosure of a contract lien  
11 under the Texas Rules of Civil Procedure, a citation issued to a  
12 person who is a respondent in the expedited order proceeding is  
13 considered complete when service is accomplished in accordance with  
14 Rule 736, Texas Rules of Civil Procedure, or in the manner provided  
15 for petitions under the Texas Rules of Civil Procedure.

16 (b) Notwithstanding Section 22.004, Government Code, the  
17 supreme court may not amend or adopt rules in conflict with this  
18 section.

19 SECTION 2. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2013.